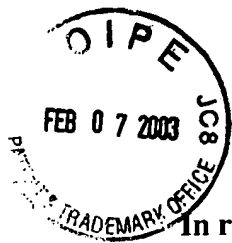


#13



**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**In re Application of:** Mathilde Benveniste

**Docket No.:** 2000-0611 P (Old 2000-0611 E)  
**Serial No.:** 10/032,507  
**Group Art Unit:** 2176  
**Filed:** January 2, 2002  
**Examiner:** TBA  
**Petitions Attorney:** Kenya McLaughlin  
**Title:** Random Medium Access Methods With Backoff Adaptation to Traffic

**ASSISTANT COMMISSIONER FOR PATENTS  
Box DAC  
WASHINGTON, D. C. 20231**

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OFFICE OF PETITIONS**

SIR:

**SECOND REQUEST FOR RECONSIDERATION OF  
PETITION UNDER 37 CFR § 1.47(b)**

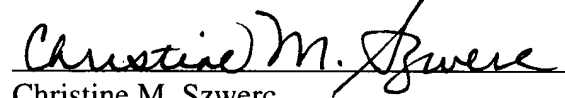
The undersigned hereby responds to the dismissal of the Petition under 37 C.F.R. § 1.47(b) mailed November 1, 2002. This Request is being filed with a Petition for a one-month extension of time that extends the two month response time to February 1, 2003. The undersigned submits that this Request, in addition to the statements and material submitted with the Petition on April 17, 2002, and the Request for Reconsideration on October 18, 2002, satisfies all the requirements of a Petition under 37 C.F.R. § 1.47(b). The undersigned respectfully requests reconsideration of the dismissal and a grant of the Petition.

The dismissal alleged that the Petition lacked a declaration executed by an authorized party. The undersigned submitted a declaration, executed by the undersigned, dated April 17, 2002. However, for the sake of completeness and to resolve this matter, the undersigned encloses herewith another declaration executed by the undersigned, an authorized party.

Given the foregoing, the undersigned submits that the requirements for the Petition under 37 C.F.R. § 1.47(b) have been satisfied. The undersigned respectfully requests reconsideration of the dismissal and a grant of the Petition.

Any questions in regard to the application or this Request may be directed to the undersigned at (908) 532-1854.

Respectfully submitted,



Christine M. Szwerc

Reg. No. 43,177

Attorney for Petitioner, AT&T Corp.

Date: January 30, 2003

AT&T Corp.  
200 Laurel Ave  
P.O. Box 4110  
Middletown, NJ 07748

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION

☐ Declaration Submitted with Initial Filing **OR** ☒ Declaration submitted after Initial Filing

Attorney Docket Number

2000-0611 P

First Named Inventor

Mathilde Benveniste

**COMPLETE IF KNOWN**

Application Number

10/032507

Filing Date

01/02/2002

Group Art Unit

:

Examiner Name

TBA

As a ~~known~~ named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Random Medium Access Methods With Backoff Adaptation To Traffic

(Title of the invention)

the specification of which

☐ is attached hereto  
OR

☒ was filed on 01/02/2002 as United States Application Number or PCT International  
Application Number 10/032507 and was amended on (if applicable).

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I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of an application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) below.

Application Number(s)	Filing Date( MM/DD/YYYY)	
60/258885	01/02/2001	<input checked="" type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto
60/261165	01/16/2001	

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Attorney Docket Number: 2000-0611 P

# DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/985257	11/02/2001	

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer Number 26652

Place Customer Number Bar  
Code Label here

OR

☐ Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
CANAVAN, Robert T.	37592	CONOVER, Michele L.	34962
DELACRUZ, Cedric G.	36498	DWORETSKY, Samuel H.	27873
ISAACSON, Thomas M.	44166	LEE, Benjamin S.	42787
LEVY, Robert B.	28234	MCGAHAN, Susan E.	35948
MONKA, Gary H.	35290	RESTAINO, Thomas A.	33444

☐ I also appoint the following additional registered practitioner(s) named on the Registered Practitioner Information (Supplemental Sheet) (PTO/SB/02C modified by AT&T Corp.) attached hereto with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Direct all phone inquiries to: Szwerc, Christine M. 908-221-8930

Direct all written correspondence to:

☒ Customer Number or Bar Code Label

Customer Number - 26652

or ☐ Correspondence address below

NAME	Samuel H. Dworetsky				
ADDRESS	AT&T CORP. P.O. Box 4110				
CITY	Middletown	STATE	New Jersey	ZIP CODE	07748-4110
COUNTRY	United States of America	FAX	732-368-6932		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Name	Mathilde Benveniste <i>Christine M. Szwerc</i>		
Signature	<i>Christine M. Szwerc</i> Reg No 43,177 Date 1/30/03		
Citizenship	United States		
Address (line 1)	76 Harding Drive		
Address (line 2)	South Orange		
Address (line 3)	Essex County		
Address (line 4)	New Jersey		
Address (line 5)	USA		
Zip Code	07079		

☐ Additional Inventors are being named on the separately numbered sheets attached hereto

SEND TO: Commissioner for Patents, Box Patent Applications, Washington, DC 20231

# DECLARATION -- Supplemental Priority Data Sheet

[illegible]

Application Number(s)	Filing Date( MM/DD/YYYY)
60/264727	01/30/2001
60/267439	02/09/2001
60/270862	02/26/2001
60/271731	02/28/2001
60/272786	03/05/2001

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

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